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TO:	FROM:
Mail Stop Petition	Trueman H. Denny III 408-737-7200 x124
COMPANY:	DATE:
USPTO	JULY 18, 2006
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
571-273-8300	6
PHONE NUMBER:	RE:
571-272-1871	Application for Patent Term Adjustment for US 7,079,442

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Docket #	P015.03.ABC	By:	THD	Faxing Date	July 18, 2006
Ser. No:	10/612,733	Filing Date:	07/01/2003	Inv(s)	Darrell Rinerson, et al.
Title:	LAYOUT OF DRIVER SETS IN A CROSS POINT MEMORY ARRAY				

The following is being transmitted to the U.S. Patent Office:

Item	Description	# Pgs
1.	Transmittal Form PTO/SB/21	1
2.	Credit Card Payment Form PTO-2038	1
3.	Application for Patent Term Adjustment per 37 C.F.R. § 1.705(d) for US 7,079,442	3
4.		
5.		
6.		
7.		

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PTO/SB/21 (09-04)


Approved for use through 07/31/2006. OMB 0651-0031

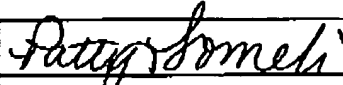
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/612,733	RECEIVED CENTRAL FAX CENTER JUL 18 2006
	Filing Date	07/01/2006	
	First Named Inventor	Darrell Rinerson, et al.	
	Art Unit	2824	
	Examiner Name	Le, Vu Anh	
Total Number of Pages in This Submission	6	Attorney Docket Number	P015.03.ABC

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks 1. Unity Fax Cover Sheet - 1 Page 2. Credit Card Payment Form PTO-2036 for Fee 1.18(e) - 1 Page		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	UNITY SEMICONDUCTOR CORPORATION		
Signature			
Printed name	Truman H. Denny III		
Date	July 18, 2006	Reg. No.	44,652

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Patty Lorneli	Date	July 18, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Darrell Rinerson, et al.

Attorney Docket No.: P015.03.ABC
**RECEIVED
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Patent: 7,079,442

Issued: July 18, 2006

JUL 18 2006Title: **LAYOUT OF DRIVER SETS IN A
CROSS POINT MEMORY ARRAY**

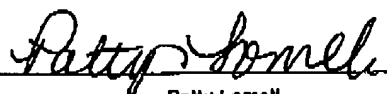
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07/20/2006 HDESS2 00000013 7079442

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Signed:



Patty Lomeli

Application for Patent Term Adjustment under 37 CFR § 1.705 (d)**Mail Stop Petition**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Ms.:

The above patent issued on **July 18, 2006**. This application for patent term adjustment is being filed within two months of the date the patent issued. This request for reconsideration raises no issues that either were raised or could have been raised in an application for patent term adjustment under **37 CFR § 1.705(b)**.

The Issue Notification mailed on **June 28, 2006**, indicated a patent term adjustment of **270** days. However, the patent failed to indicate a properly revised patent term adjustment of **315** days.

As required by **37 CFR § 1.705 (b)**, this application includes:

- (1) The fee of \$200 as set forth in § 1.18(e) and paid by attached Credit Card payment form **PTO-2038**.
- (2) A statement of facts involved, specifying:
 - (i) The correct patent term adjustment and the basis or bases under

§ 1.702 for the adjustment

The adjustment due to examination delay is **366 days** under **§ 1.702(a)(1)** and **66 days** under **§ 1.702(a)(4)**, for a total adjustment due to examination delay of **432 days**.

(ii) The relevant dates as specified in §§ 1.703(a) through (e) for which an adjustment is sought and the adjustment as specified in § 1.703(f) to which the patent is entitled;

The application was filed on **July 01, 2003**. Fourteen months from the filing date was **September 01, 2004**. The first office action or notice of allowance was mailed **366 days** later on **September 02, 2005**. The Issue Fee was paid on **January 13, 2006**, and Four months and a day from the payment of the Issue Fee was **May 14, 2006**. However, the Issue Date for the application is **66 days** later on **July 18, 2006**.

The sum of the periods calculated under **§ 1.702 (a) through (e)**, to the extent that such periods are not overlapping, is: **432 days**.

(iii) Whether the patent is subject to a terminal disclaimer and any expiration date specified in the terminal disclaimer

No terminal disclaimers.

(iv)(A) Any circumstances during the prosecution of the application resulting in the patent that constitute a failure to engage in reasonable efforts to conclude processing or examination of such application as set forth in § 1.704; or (B) That there were no circumstances constituting a failure to engage in reasonable efforts to conclude processing or examination of such application as set forth in § 1.704

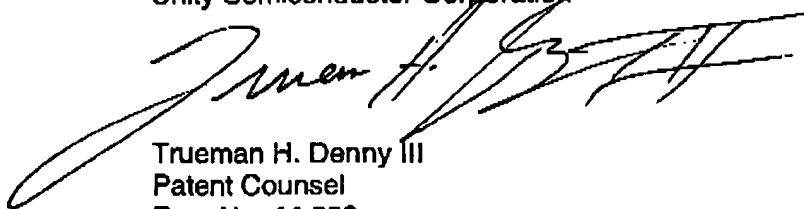
An amendment under **§ 1.312** including a Supplemental Declaration and Correction of Inventorship under **§ 1.48**, which is considered a failure to engage in reasonable efforts to conclude processing or examination under **§ 1.704 (c)(10)**, was filed on **January 13, 2006**. A response stating that the amendment had been entered was mailed **76 days** later on **March 29, 2006**.

The application became abandoned on **December 03, 2005**, for failure to timely pay the issue fee due on **December 02, 2005**. Subsequently, a Petition to Revive was granted on **January 30, 2006**, which was **59 days** after abandonment. However, the period beginning on **January 13, 2006**, and ending on **January 30, 2006**, is overlapping with the reduction under § 1.704 (c)(10). Therefore, the reduction of patent term under § 1.704 (c)(3) begins on **December 03, 2005**, and ends on **January 12, 2006**, which is **41 days**.

Consequently, the period of adjustment set forth in § 1.703 of **432 days** should be reduced by **76 days** and **41 days** for a total of **117 days** such that the correct Patent Term Adjustment is **315 days** and not the **270 days** set forth in the Issue Notification mailed **June 28, 2006**.

Should the Office of Petitions believe that a telephone conference would expedite this Application for Patent Term Adjustment under **37 CFR 1.705 (d)**, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
Unity Semiconductor Corporation



Trueman H. Denny III
Patent Counsel
Reg. No. 44,652

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